

AO 91 (Rev. 02/09) Criminal Complaint

United States Court
Southern District of Texas
FILED

UNITED STATES DISTRICT COURT

for the
Southern District of Texas

DEC 15 2015

David J. Bradley, Clerk of Court

United States of America)

v.)

Irwing VELAZQUEZ)

Case No.

H15-1702M

Defendant

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date of 12/13/2015 in the county of Harris in the Southern District of Texas, the defendant violated Title 8 U. S. C. § 1324(a)(1)(A)(iii), 1324(a)(1)(A)(v)(I), an offense described as follows:

knowing or in reckless disregard of the fact that an alien has come to, entered, or remains in the United States in violation of law, conceal, harbor or shield from detection, or attempts to conceal, harbor or shield from detection, such alien in any place, including any building or any means of transportation, and did conspire with others known and unknown to commit aforementioned offense all done for the purpose of commercial advantage or private financial gain.

This criminal complaint is based on these facts:

See attached Affidavit in support of the Criminal Complaint

☒ Continued on the attached sheet.

Complainant's signature

Juan G. Pagan, Special Agent, HSI

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/15/2015City and state: Houston, Texas

Judge's signature

Nancy K. Johnson, U.S. Magistrate Judge

Printed name and title

CRIMINAL COMPLAINT AFFIDAVIT

I, Juan G. Pagan, being first duly sworn, depose and state the following:

1. I am a federal law enforcement officer within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws and duly authorized by the Attorney General to request an arrest warrant. I have been employed by Immigration & Customs Enforcement (ICE), Homeland Security Investigations (HSI) as an HSI Special Agent since May 2004, and I am presently assigned to HSI Houston, Texas. I am classified, trained, and employed as a Federal Law Enforcement Officer with statutory arrest authority charged with conducting criminal investigations of alleged violations of federal criminal statutes. Prior to that, I was employed as a Senior Border Patrol Agent with the United States Border Patrol (April 2001 through May 2004), and as a Police Officer with the Police of Puerto Rico (March 1998 through April 2001). In June 1997, I graduated from University of Puerto Rico with a Bachelor of Political Science. In June 2001, I graduated from the Interamerican University of Puerto Rico with a Master of Arts in Criminal Justice. I have participated in investigations of human smuggling, drug smuggling, money laundering, and, among other things, have conducted or participated in surveillances, the execution of search warrants, debriefings of informants and reviews of taped conversations. Through my training, education, and experience, I have become familiar with the manner in which undocumented aliens are transported, housed, and distributed and the methods of payments for smuggled aliens.

2. The information in this affidavit is based on my personal knowledge and information provided to me by other law enforcement officers and individuals. The information in this affidavit is provided for the limited purpose of establishing probable cause. The information is not a complete statement of all the facts related to this case.

3. On December 13, 2015, at approximately 3:02 p.m., the Harris County Sheriff's Office (HCSO) received a call of a possible stash house located at 3359 Frick Rd, #16, Houston, Texas. A HCSO Deputy and other HCSO Deputies arrived at the location. HCSO Deputies encountered four males outside of the residence; upon questioning the four males stated that they were just visiting friends. As HCSO Deputies announced their presence at the front door, approximately 30 subjects started to flee the residence through the back door. HCSO Deputies were able to apprehend six subjects. An HSI Special Agent arrived at the scene and determined 9 subjects were illegally present in the United States and one was a Lawful Permanent Resident. HSI Houston Special Agent (SA) Juan G. Pagan identified Irwing VELAZQUEZ as the person possibly in charge of the house, since he was the only one with belonging inside the residence.

4. On December 13, 2015, HCSO and HSI Houston transported the 10 subjects to the Houston Immigration Detention Center located at 5520 Greens Rd., Houston, Texas for administrative processing.

5. On December 13, 2015, HSI SA Pagan interviewed Steeppany Jusseft TAY-Torres. TAY-Torres was administratively arrested at 3359 Frick Rd. Houston, Texas on December 13, 2015, for being illegally present in the United States. TAY-Torres stated she arrived at the house the same day at approximately 2:00 p.m. TAY-Torres identified VELAZQUEZ as the man who instructed her to remove her clothing and her shoes.

Additionally, TAY-Torres identified VELAZQUEZ as the individual who would feed her.

6. On December 13, 2015, HSI SA Pagan interviewed Otilio PEREZ-Perez. PEREZ-Perez was administratively arrested at 3359 Frick Rd. Houston, Texas, on December 13, 2015, for being illegally present in the United States. PEREZ-Perez stated that he arrived at the house the same day at approximately 2:00 p.m. PEREZ-Perez identified VELAZQUEZ as the man who instructed him to remove his clothing and his shoes. Additionally, PEREZ-Perez identified VELAZQUEZ as the individual who would feed him.

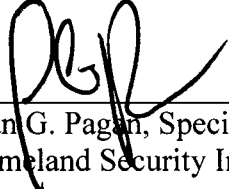
7. On December 13, 2015, HSI SA Pagan interviewed Leonides CHAVEZ. CHAVEZ was administratively arrested at 3359 Frick Rd. Houston, Texas, on December 13, 2015, for being illegally present in the United States. CHAVEZ stated that he arrived at the house the same day at approximately 2:00 p.m. CHAVEZ identified VELAZQUEZ as the man who fed him at the house.

8. On December 13, 2015, HSI SA Pagan interviewed Cristian TAY-Torres. TAY-Torres was administratively arrested at 3359 Frick Rd. Houston, Texas, on December 13, 2015, for being illegally present in the United States. TAY-Torres stated that he arrived at the house the same day at approximately 2:00 p.m. TAY-Torres identified VELAZQUEZ as the man who instructed him to remove his clothing and his shoes. Additionally, TAY-Torres identified VELAZQUEZ as the individual who would feed him.

9. On December 14, 2015, HSI SA Pagan read and explained the ICE Statement of Rights (statutory warnings) in Spanish to VELAZQUEZ who acknowledged that he read and understood the rights by initialing each line. Furthermore, VELAZQUEZ then freely

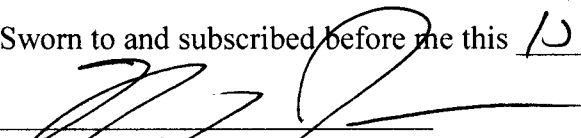
and voluntarily waived his Miranda rights in writing. VELAZQUEZ stated that a man that he only knows as "ALEJANDRO" was the person in charge of the house located at 3359 Frick Rd, #16, Houston, Texas. VELAZQUEZ stated that his job at the house was to take care of the people that were being stashed at the residence. VELAZQUEZ stated that his duties as a caregiver were to instruct the undocumented aliens to remove their shoes and their clothing, while he would provide them with socks to wear. According to VELAZQUEZ, "ALEJANDRO" called him the morning of December 13, 2015, and asked if he could go to the house and help with undocumented aliens. VELAZQUEZ arrived at the house at approximately 1:00 p.m. VELAZQUEZ stated that another man that he only knows as "TEO" (Arristeo RAMIREZ) was already at the house. At approximately 2:00 p.m. a man that he only knows as "Telesforo" (Telesforo CERVANTES) and "Luis" (Luis HERRERA) arrived at the house driving a white van with the undocumented aliens inside the van. Once at the house, VELAZQUEZ instructed the undocumented aliens to take their shoes and clothes off. VELAZQUEZ then proceeded to instruct the undocumented aliens to eat pizza, which was provided by "TEO". A search of VELAZQUEZ revealed \$1,936 in US currency. Additionally, a search of VELAZQUEZ's bag revealed \$133,170 in Mexican Pesos (approximately \$7,653.01 in U.S. Currency). Upon questioning VELAZQUEZ stated that the U.S. and Mexican currency were proceeds of alien smuggling.

11. Based on the foregoing facts, I respectfully request an arrest warrant be issued for Irwing VELAZQUEZ for a violation of 8 U.S. Code Section 1324.



Juan G. Pagan, Special Agent
Homeland Security Investigations

Sworn to and subscribed before me this 15th day of December, 2015.



Nancy K. Johnson
United States Magistrate Judge
Southern District of Texas